

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

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FHAC.241-1530.NF



Order Filed on October 29, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

Carolina Cubilete,

Case No.: 16-26993-VFP

Hearing Date: 10/4/2018

Judge: Vincent F. Papalia

Chapter: 13

Recommended Local Form:

☐ Followed☐ Modified**ORDER VACATING STAY  
AND CO-DEBTOR STAY**The relief set forth on the following page is hereby **ORDERED**.

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DATED: October 29, 2018A handwritten signature in cursive script, reading "Vincent F. Papalia".

Honorable Vincent F. Papalia  
United States Bankruptcy Judge

Upon the motion of Bank of America, N.A., under Bankruptcy Code section 362(a) and 1301 for relief from the automatic stay and co-debtor stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay and co-debtor stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

☒ Real property more fully described as:

339 Sussex Avenue, Newark, New Jersey 07107

It is further ORDERED that the movant, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.

☐ Personal property more fully described as:

It is further ORDERED that the movant may join the debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

The movant shall serve this order on the debtor, any trustee and any other party who entered an appearance on the motion.

rev. 7/12/16

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Carolina Cubilete  
Debtor

Case No. 16-26993-VFP  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 29, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 31, 2018.

db Carolina Cubilete, 339 Sussex Ave, Apt 1, Newark, NJ 07107-2955

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 31, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 29, 2018 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor Toyota Motor Credit Corporation  
dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com  
Marie-Ann Greenberg magecf@magtrustee.com  
Scott D. Sherman on behalf of Creditor Bank of America, N.A. ssherman@minionsherman.com  
Steven A. Serna on behalf of Trustee Marie-Ann Greenberg bk@sernaesq.com  
Steven A. Serna on behalf of Debtor Carolina Cubilete bk@sernaesq.com

TOTAL: 5